

Final
CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, May 4, 2009
5:45 P.M.

Invocation by Pastor Rich Wisely, Mountain Vista Bible Church.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

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1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
3. Conduct a public hearing on the proposed CDBG/HOME/ESG FY 2009/2010 Annual Action Plan and the One-Year Consolidated Plan.
4. Take action on the following recommendation from the Judicial Advisory Board:
 - *4a. Reappointment of Magistrate Victor Ortiz for a four-year term beginning July 1, 2009 and ending June 30, 2013.
 - *4b. Reappointment of Magistrate Karl Eppich for a four-year term beginning July 1, 2009 and ending June 30, 2013.
5. Take action on the following liquor license applications:
 - *5a. DJ's Beer and Wine

New Beer and Wine Store License for DJ's Beer and Wine, 1840 W. Southern Ave., Ste 7-9, DJ's Beer and Wine LLC – Donald Wayne Jakubowski, Agent. The previous Restaurant License held at this location by Boles Inc was surrendered to the State Liquor Board on March 31, 1997. **(District 3)**
 - *5b. Shakespeares A Traditional Pub and Restaurant

New Restaurant License for Shakespeares A Traditional Pub and Restaurant, 1744 S. Val Vista Dr., Ste 101, British American Restaurant LLC – Lawrence Edward Elliget, Agent. The previous Restaurant License held at this location by Dana Park Irish Pubs LLC will revert back to the State. **(District 2)**
 - *5c. The Valley Eatery Diner Restaurant

Person and Location Transfer Beer and Wine Bar for The Valley Eatery Diner Restaurant, 270 W. Main St., IL Vinaio, LLC – Cameron Patrick Selogie, Agent. No previous liquor license at this location. **(District 4)**

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6. Take action on the following contracts:

*6a. Purchase of a Replacement Substation Power Transformer for the Energy Resources Department (Electric)

The Business Services Department recommends authorizing purchase from the lowest, responsive and responsible bidder, Virginia Transformer Corp. at \$516,384.00, including applicable use tax. **(Citywide)**

*6b. Purchase of Replacement 15kV Metalclad Switchgear for the Energy Resources Department (Electric)

The Business Services Department recommends authorizing purchase from the lowest, responsive and responsible bidder, Powercon Corporation at \$255,913.15, including applicable use tax. **(Citywide)**

*6c. Purchase of Replacement Camera Equipment for the Police Department, Forensics Services Section (Fully Grant Funded through Arizona Criminal Justice Commission's Full Service Crime Laboratory Grant)

The Business Services Department recommends authorizing purchase from the single bid submitted by B&H Photo Video Pro-Audio at \$108,664.56, including applicable use tax. **(Citywide)**

Deleted *6d. Term Contract for Replacement Fitness Equipment and Supplies for the Fire and Parks, Recreation and Commercial Facilities Departments

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*6e. Water Line and Gas Line Replacement, 9th Place, Country Club Drive to Center Street, City of Mesa Project No. 01-557-005

This project will replace 3,900 linear feet of existing 4-inch and 6-inch diameter water lines with new 8-inch diameter ductile iron pipe (DIP). The new water line will provide reliable water service to City customers on 9th Place. The project will also replace all existing 85 water meters, water services and fire hydrants to comply with City standards. In addition, this project will replace the existing gas lines in this area. These lines have exceeded their design life and are recommended for replacement in a joint trench with the water main to take advantage of reduced trench and pavement replacement costs.

Recommend award to the low bidder, RBG/ERU Joint Venture, in the amount of \$511,200.00 plus an additional \$51,120.00 (10% allowance for change orders) for a total award of \$562,320.00. This project is funded from the FY 08/09 Water and Gas Bond Capital Programs. **(Council Districts 1 and 4).**

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*6f. Falcon Field Airport, Building Demolition at 5035 E. Roadrunner Drive, City of Mesa Project No. 06-020-001

The scope of work proposed under this contract is to demolish and remove the two vacant buildings located at 5035 E. Roadrunner Drive. The buildings consist of an aircraft hangar with attached storage building (Building 1) and an obsolete aircraft painting hangar (Building 2). The buildings are both currently vacant and are owned by the City of Mesa. Demolition of these buildings will allow for construction of a future east taxi lane to provide access to the East Area.

Recommend award to the low bidder, R.K. Sanders, Inc., in the amount of \$52,790.00 plus an additional \$5,279.00 (10% allowance for change orders) for a total award of \$58,069.00. ADOT Grant No. E7S26 will cover 90% of the demolition cost, with the City of Mesa responsible for the remaining 10%. Funding for the City's local share of the cost is available from the adopted FY 2008/09 Falcon Field Airport Capital Program. **(Council District 5)**

*6g. Mesa Convention Center (Building A) HVAC Replacement, 263 N. Center Street, City of Mesa Project No. 07-009-001

This project will remove the existing heating ventilation and air conditioning (HVAC) system and replace it with a new, more reliable system including air handlers, gas-fired make-up units, evaporative coolers, air cooled chillers and all HVAC mechanical work associated with the installation of a new HVAC system. This work includes all associated electrical work and the installation of a new walled equipment yard. The new cooling units are more energy-efficient and will provide additional flexibility to meet the HVAC needs of the Convention Center.

Recommend award to the low bidder, Liberty Builders and Development, Inc., in the amount of \$633,330.03 plus an additional \$63,333.00 (10% allowance for change orders) for a total award of \$696,663.03. Funding is available in the approved FY08/09 Convention Center Capital Program, Facilities Maintenance Budget, and the Capital Improvement and Operational Program. **(Council District 4)**

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7. Take action on the following resolutions:

- *7a. Approving and authorizing the City Manager to execute a Memorandum of Understanding to accept grant funds made available through the 2009 Byrne Justice Assistance Grant Program.

Funds in the amount of \$1,095,332 will be used to purchase equipment and resources for the Mesa Police Department's Information Technology Unit. (100% Stimulus/Grant Funded)

- *7b. Granting a Power Distribution Easement to Salt River Project on City-owned property at 2155 S. Dobson Road.

The easement is needed for Salt River Project to install the needed facilities to upgrade the electrical system at the Dobson Ranch Golf Course and Club House. **(Council District 3)**

- *7c. Establishing an Identity Theft Prevention Program to Comply with the Fair and Accurate Credit Transaction Act of 2003 for the Business Services Customer Call Center and Business Office. (Citywide)

- Deleted** *7d. Authorizing the City Manager to adopt regulations for the Safe and Efficient Operation of Falcon Field Airport. (District 5)

8. Introduction of the following ordinances and setting May 18, 2009, as the date of the public hearing on these ordinances:

- *8a. **Z09-04 (District 6) 1017 South 88th Street.** Located north of Southern Avenue and west of Ellsworth Road. (1.11± ac) Rezone from Maricopa County RU-43 to City of Mesa R1-43. For the establishment of City of Mesa zoning on recently annexed property. City of Mesa applicant.

PHO Recommendation: Approval with conditions.

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- *8b. **Z09-05 (District 6) 7938 East 2nd Avenue.** Located east of Sossaman Road and south of Main Street. (0.21± ac) Rezone from Maricopa County R1-6 to City of Mesa R1-6. For the establishment of City of Mesa zoning on recently annexed property. City of Mesa applicant.

PHO Recommendation: Approval with conditions

- *8c. **Z09-06 (District 5) 839 North 98th Street.** Located south of Brown Road and west of Crismon Road. (1.07±) Rezone from Maricopa County RU-43 to City of Mesa R1-43. For establishment of City of Mesa zoning on recently annexed property. City of Mesa, applicant.

PHO Recommendation: Approval with conditions

Deleted *8d. **Z09-07 (District 6) 10617 East Oasis Street.**

- *9. Assign delinquent accounts to collection services for the three-month period ending March 31, 2009, totaling \$796,744.
(Citywide)

10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).